

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/065,992 Confirmation No. 6667  
Applicant : Haruyo Fukui, et al.  
Filed : December 8, 2002  
T.C./A.U. : 1775  
Examiner : Archene A. Turner  
Docket No. : 39.005-AG  
Customer No. : 29453

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Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **Action Under 37 C.F.R. § 1.113 and Pursuant to 37 C.F.R. § 41.33(b)(1)**

Sir:

In response to the Office action of August 9, 2007, made final, in the above-identified patent application, Applicant timely filed a Notice of Appeal, on November 9, 2007, to appeal from the rejections of the claims rejected under §§ 102(b) and 103(a).

Now, together with the presently submitted brief on Applicant's appeal, Applicant requests entry of the following amendment, which, pursuant to 37 C.F.R. § 41.33(b)(1), cancels certain of the claims—namely, the claims rejected under § 112 in the August 9, 2007 action. (Together with the appeal brief, this amendment is being filed on January 3, 2008 and is therefore timely filed.)

### **AMENDMENT Pursuant to 37 C.F.R. § 1.121**

**Amendments to the Claims** are reflected in the listing of claims that begins on page 2 of this paper.

**Remarks** begin on page 6 of this paper.